

## **Chambers, Scott**

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**From:** Jill\_B\_Valentine@sbphrd.com[SMTP:Jill\_B\_Valentine@sbphrd.com]  
**Sent:** Wednesday, November 11, 1998 10:22 AM  
**To:** Chambers, Scott  
**Cc:** tmpdf@iclweb.com  
**Subject:** Request for Comments on Written description guidelines - TMPDF submission

**Re: Request for Comments on Interim Guidelines for Examination of Patent Applications Under the 35 U.S.C. 112 para. 1.**

**Comments by the Trade Marks, Patents and Designs Federation**

The Trade Marks Patents and Designs Federation (TMPDF), which was set up in 1920, represents the views of British industry on intellectual property matters, and counts most major UK companies amongst its members.

TMPDF has for many years played an active and prominent role in ensuring that users' wishes are made known to government, both UK and European. At the European level TMPDF represents the Confederation of British Industry on intellectual property matters in Union Des Confederations de L'Industrie et des Employeurs d'Europe (UNICE). UNICE is based in Brussels and is a grouping of European Employers Federations from 22 countries which includes the Confederation of British Industry (CBI). The Federation also has close contact with other organisations representing owners and users of intellectual property in overseas countries, especially in Europe and the US.

TMPDF appreciates the efforts of the USPTO in preparing the draft guidelines with the admirable intention of providing applicants and examiners with greater clarity as to the correct application of the law. However we have serious reservations that the proposed guidelines are, on the contrary, at odds with established case law and do little to guide either patent applicants and their attorneys or patent examiners.

It is respectfully submitted that the draft guidelines be withdrawn in their entirety and wider consultation be sought before introducing a replacement draft.

Jill Valentine  
Chairman  
Biotechnology Sub-Committee of the Patents Committee  
TMPDF